

Amendment No. 2 to SB1923

Gresham  
Signature of Sponsor

**AMEND Senate Bill No. 1923**

**House Bill No. 1105\***

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) If by majority vote of its total membership the governing body of a municipality determines that a city school system: (1) is authorized by the municipality's charter, as set forth by statute or private act; (2) would promote the public welfare through enhancement of educational innovation, opportunity, and achievement; and (3) would possess a student population of sufficient size to comply with state requirements; then the governing body is hereby authorized to request the county election commission to conduct a referendum pursuant to § 49-2-106. The referendum may be conducted at either a general or special election held throughout the municipality; provided, however, if a special election is requested, then the municipality shall pay the costs of the special election.

(b) If a majority of the voters participating in the referendum elect to raise local funds to support the proposed city school system, then the governing body of the municipality is hereby authorized to establish, by ordinance, a city board of education in compliance with § 49-2-201 and this section.

(c)

(1) Members of the city board of education shall be elected from districts of substantially equal population; and the governing body of the municipality, by ordinance, shall establish the districts. There shall be not less than three (3) nor more than eleven (11) members. In order to comply with the § 49-2-201 requirement that the members be elected to staggered four-year terms, the

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governing body of the municipality is hereby authorized to establish initial terms that vary in length; provided, however, all subsequently elected members, other than members elected to fill a vacancy, shall be elected to four-year terms.

(2) The governing body of the municipality is hereby authorized to request the county election commission to conduct an election to select the members of the initial city board of education. The election may be conducted at either a general or special election held throughout the municipality; provided, however, if a special election is requested, then the municipality shall pay the costs of the special election.

(d) The members of the initial city board of education shall take office on the first day of the first month following certification of the election results.

(e) The initial city board of education is hereby authorized to plan and manage the formation of the city school system as well as to manage and operate the system once student instruction commences. The initial board of education shall have all powers and duties granted or required of boards of education under § 49-2-203 or other general law, including, but not limited to, employment of a full-time director of schools; employment of teachers and staff required to operate the city school system; and construction, acquisition, lease, or modification of buildings and facilities suitable for school purposes.

(f) Schools in the city school system shall open for student instruction between August 1 and the first Tuesday following Labor Day of the school year immediately following the commissioner's finding of the system's compliance with applicable state law and readiness to commence student instruction.

(g) Notwithstanding any provision of title 6 or § 49-2-502 or any other law to the contrary, this section shall govern any municipality actively considering or planning, on or after the effective date of this act, the formation of a new city school system.